



SHANKS & HERBERT

Intellectual Property Advocates

TransPotomac Plaza, 1033 N. Fairfax St., Suite 306, Alexandria, VA 22314
Telephone: 703-683-3600 Facsimile: 703-683-9875 Email: Joseph@mail.ipadvocates.com

June 10, 2002

Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231

Re: U.S. Utility Patent Application
Appl. No. 10/032,495; Filed: January 2, 2002
For: Method of Product a Population of Homozygous Stem Cells
Having a Pre-Selected Immunotype and/or Genotype, Cells
Suitable for Transplant Derived Therefrom, and Materials
and Methods of Using Same
Inventor(s): Yan, W, et al.
Our Ref: 0249-0002US

Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application,
dated April 1, 2002, Applicants submit the following documents for appropriate action by
the U.S. Patent and Trademark Office:

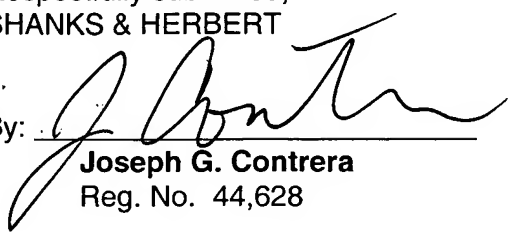
1. Copy of the Notice to File Missing Parts
2. Extension of Time for One Month
3. Request to Correct Inventorship Under 37 C.F.R. §1.48(a)
4. Combined Declaration and Power of Attorney for Patent Application
5. Statement from all Persons Being Added as Inventors Under 37 C.F.R. §1.48(a)
6. Sequence Index
7. Statement to Support Filing and Submission in Accordance with 37 C.F.R. §1.821- §1.825
8. Sequence Listing (19 pages); and (1) Disk
9. Drawings Figure 1 through Figure 11 (13 pages)
10. Check for \$1,086.00

The corporation is a small entity and therefore is claiming the 50% off fee for small entity status.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622.

Respectfully submitted,
SHANKS & HERBERT

By:


Joseph G. Contrera
Reg. No. 44,628

West Coast Office
4350 La Jolla Village Drive, Suite 330, San Diego, Ca 92122
Telephone: (858) 597-6688 Facsimile: (858) 597-6682



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1007495.06 Page 2 #3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/032,495 | 01/02/2002 | Wen Liang Yan | 0249-0002US |

CONFIRMATION NO. 7029

FORMALITIES LETTER



OC00000007757490

Shanks & Herbert
TransPotomac Plaza
Suite 306
1033 N. Fairfax Street
Alexandria, VA 22314

Date Mailed: 04/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/12/2002 NH04HHM1 00000034 10032495

FILED UNDER 37 CFR 1.53(b)

| | |
|-----------|-----------|
| 02 FC:201 | 370.00 OP |
| 03 FC:203 | 288.00 OP |
| 04 FC:202 | 168.00 OP |
| 05 FC:204 | 140.00 OP |
| 06 FC:205 | 65.00 OP |

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1192.
 - \$576 for 32 total claims over 20.
 - \$336 for 4 independent claims over 3.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2062.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom


margin of at least 1.0 cm. (3/8 inch);

- o This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- ▣ **For Rules Interpretation, call (703) 308-4216**
- ▣ **To Purchase PatentIn Software, call (703) 306-2600**
- ▣ **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

A copy of this notice MUST be returned with the reply.


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



10032495 .061002 #7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wen Liang Yan

Serial No. 10/032,495

Filed: January 2, 2002

For: Method Of Producing A Population Of
Homozygous Stem Cells Having A Pre-Selected
Immunotype And/Or Genotype, Cells Suitable For
Transplant Derived Therefrom, And Materials
And Methods Of Using Same

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0249-0002US

**REQUEST TO CORRECT INVENTORSHIP
UNDER 37 C.F.R. § 1.48(a)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby petition under 37 C.F.R. § 1.48(a) for a correction of inventorship in the above-referenced nonprovisional application. Accompanying this petition are the following:

1. A new combined declaration and power of attorney by all actual inventors;
2. The processing fee as set forth in 37 C.F.R. § 1.17(i); and,
3. A statement signed by each person being added as an inventor that the error in inventorship occurred without any deceptive intent on his or her part.

Date: 6/10/02

TransPotomac Plaza
1033 N. Fairfax Street, Suite 306
Alexandria, VA 22314
(703) 683-3600

Respectfully submitted,
SHANKS & HERBERT

By: Joseph Contrera

Joseph Contrera
Reg. No. 44,628